

Amendments to the Drawings:

The drawing sheet attached in connection with the above-identified application containing Figure 1 is being presented as a new formal drawing sheet to be substituted for the previously submitted drawing sheet. Figure 1 has been amended to identify housing 13. Appended to this document is an annotated copy of the previous drawing sheet which has been marked to show changes presented in the replacement sheet of the drawing.

REMARKS

Applicants request favorable reconsideration of this application in view of the foregoing amendments and the following remarks.

Claims 1-16 were pending in the application. By way of this Amendment and Reply, Applicants have amended claim 10 and have added new claims 17-27. Accordingly, claims 1-27 are respectfully submitted for further consideration.

Applicants thank the examiner for the courtesies extended during the personal interview on January 25, 2005, during which Applicants' representatives and the examiner discussed the differences between the claimed invention and the references applied in the Office Action.

Applicants present with this Amendment and Reply a replacement sheet for Figure 1. Figure 1 has been amended to identify housing 13, as described in paragraph [0025] of the specification.

Claims 1-6, 8-10, 13, 14, and 15 are rejected under 35 USC §102(e) as anticipated by Canna et al. (USP 6,464,594). For at least the following reasons, Applicants respectfully request withdrawal of this rejection.

Claim 1 defines a swing "wherein motion is imparted to the support member [of an object hanger] by the swinging of the seat." Canna et al. does not teach or suggest such a swing.

Canna et al.'s swing includes a child support device 100 that has support members (legs) 103. The support members (legs) 103 support an upper housing 102, a swing arm 104, and a seat 105. The upper housing 102 "can include a driving device that provides motion to the swing arm 104 and the swing seat 105." Col. 3, lines 18-22. An entertainment device (mobile) 300 can be attached to an upper structure 101 of the upper housing 102 via a

receiving member 200, and the entertainment device 300 can rotate freely within the receiving member 200. See FIGS. 2 and 4. This receiving member 200, however, remains stationary during swinging of the swing arm 104 and the seat 105. Thus, motion is not imparted to the receiving member 200 or the attached entertainment device 300 by swinging of the seat 105. Because Canna et al. does not teach or suggest a swing “wherein motion is imparted to the support member [of an object hanger] by swinging of the seat,” Canna et al. does not anticipate claim 1 or its dependent claims 2-6, 8, and 9 under 35 USC §102(e).

Claims 13-15 each define a swing “wherein the object hanger is so arranged relative to the seat that motion is imparted to the object hanger by the swinging of the seat.” As discussed above in connection with claim 1, motion is not imparted to the entertainment device 300 of Canna et al. by the swinging of seat 105. Thus, Applicants submit that Canna et al. does not anticipate claims 13-15 or new claims 20 and 21, which depend from claim 15, under 35 USC §102(e).

Claims 7, 11, and 12, which depend from claim 1, are rejected under 35 USC §103(a) as unpatentable over Canna et al. in view of Clouser (USP 1,390,502). Applicants respectfully traverse this rejection. Even if Canna et al.’s swing were modified with the toy bar of Clouser, as suggested in the Office Action, that modified swing would not result in the invention of claim 1 and, hence, the inventions of claims 7, 11, and 12. For example, claim 1 defines a swing that includes an object hanger, and the object hanger comprises a support member (defined in claims 7, 11, and 12 as a toy bar), a hanger coupled to the support member, and a decorative object. Clouser does not teach or suggest a hanger coupled to the support member, as required by claim 1. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 7, 11, and 12 under 35 USC §103(a).

Claim 16 is rejected under 35 USC §103(a) as obvious over Sonner et al. (USP 6,386,986) in view of Harris (USP 5,370,570). Applicants request withdrawal of this rejection for at least the following reasons.

Claim 16 defines a swing “wherein the object hanger is so arranged relative to the seat that motion is imparted to the object hanger by the swinging of the seat.” As conceded in the

Office Action, Sonner fails to teach an object hanger. To cure this deficiency, the Office Action turns to Harris, stating that “Harris teaches an object hanger (8) that could be mounted on a crib *or cradle* and the hanger could be adjusted in various locations and one of the locations is offset from the longitudinal axis of the crib. Therefore, it would have been obvious to one of ordinary skill in the art to modify the swing of Sonner et al with the object hanger of Harris for the purpose of entertaining a child.” (Emphasis added.) Applicants disagree.

Nowhere does Harris teach or suggest that its support system 8 can be attached to a swinging object, such as a cradle or swing. Rather, Harris repeatedly states that the support system 8 is to be attached to a *fixture*. See Harris at col. 1, lines 13-17 (“The improvement [sic] support system has a clamping assembly which is adaptable and adjustable for attaching to a variety of fixtures such as chairs, tables, car windows, as well as to cribs and playpens.”); see also col. 3, lines 10-17, 27-30, 48-52. Harris explicitly lists the following fixtures: a crib (understood in the art to be fixed in location), a playpen, a bed, a stroller, a counter top, an automobile window, a chair, a table, a car seat, and a high chair. Swings are not included in this rather exhaustive list of fixtures, and, notably, none of the listed fixtures are designed for swinging movement. There simply is no suggestion to place the support system 8 of Harris on a swinging object, such as the swing of Sonner et al. Moreover, the support system 8 of Harris, with its freely pivoting connection 20, would be unstable and thus unsuitable for use on a swing.

For at least these reasons, Applicants respectfully request withdrawal of the rejection of claim 16 under 35 USC §103(a). Applicants further submit that new claims 17-19, which depend from claim 16, are not rendered obvious by Sonner et al. and Harris under 35 USC §103(a) for at least these same reasons.

Applicants also have added new claims 22-27 to the application. New claim 22 defines a swing “wherein the object hanger includes a non-motorized structure that is configured to impart motion to the hanger in a direction different from a direction along which the seat swings.” New claim 23, which depends from claim 22, defines the motion imparted to the hanger as rotating motion. New claims 24 and 26 each define a swing

“wherein the object hanger is so arranged relative to the seat . . . that a direction of motion imparted to the hanger is different than a direction along which the seat swings.” New claims 25 and 27, which depend from claims 24 and 26, respectively, define the motion imparted to the hanger as rotating motion. Applicants submit that claims 22-27 are patentable over the references applied in the Office Action.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 CFR 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 28, 2005

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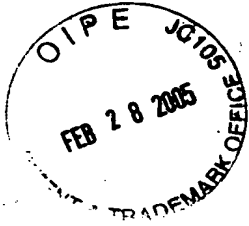
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Title: A NON-MOTORIZED OBJECT
HANGER

Inventor(s): Steve WOOD et al.

Appl. No.: 10/799,691



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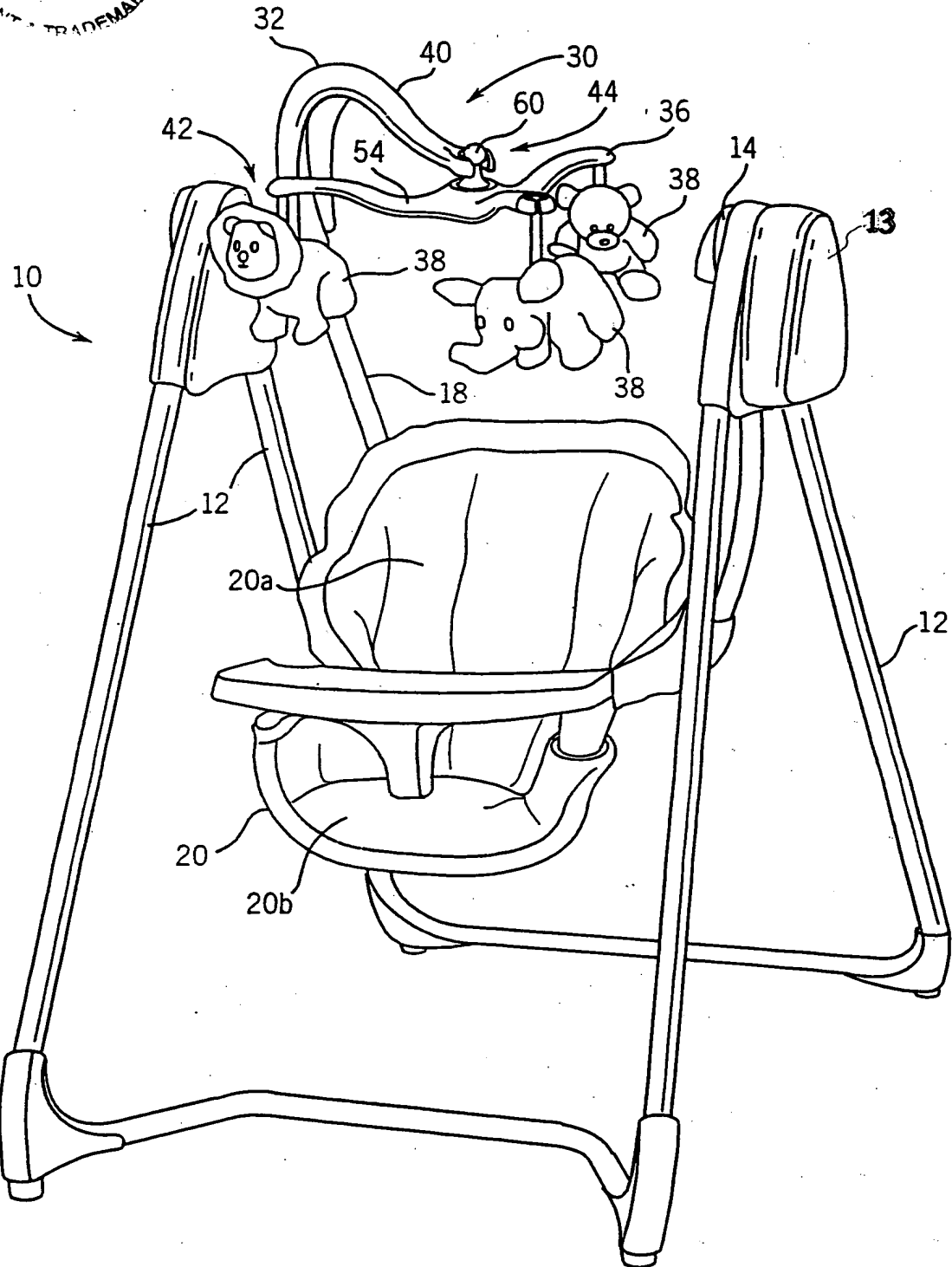


FIG. 1